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NOTICE OF ALLOWANCE AND FEE(S) DUE

44989

7590

01/08/2010

HARRITY & HARRITY, LLP
11350 Random Hills Road
SUITE 600
FAIRFAX, VA 22030

EXAMINER

COLAN, GIOVANNA B

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 01/08/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,681	09/30/2003	David Marmaros	0026-0039	2032

TITLE OF INVENTION: SYSTEMS AND METHODS FOR PROVIDING SEARCHABLE PRIOR HISTORY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	04/08/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

44989 7590 01/08/2010

HARRITY & HARRITY, LLP
11350 Random Hills Road
SUITE 600
FAIRFAX, VA 22030

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	04/08/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
COLAN, GIOVANNA B	2162	707-713000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 469 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 469 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/673,681

Examiner

GIOVANNA COLAN

Applicant(s)

MARMAROS ET AL.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/20/2009.
2. ☒ The allowed claim(s) is/are 1-6, 8-9, 13-14, 17-22, 60-64, 67-68, 70, and 74-75.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Paul A. Harrity on December 28, 2009.
3. The application has been amended as follows:

In the claim:

1. A method performed by a device, comprising:
receiving, by a processor of the device, a search query from a user;
receiving, by the processor, search results, as first-search results, responsive to a search performed using the search query;
performing, by the processor, a search of a history database using the search query to obtain search results, as second-search results, the history database storing information regarding documents previously accessed by the user;
comparing, by the processor, information corresponding to the second-search results to information corresponding to the first-search results to determine whether information corresponding to one of the second-search results matches information corresponding to one of the first-search results;

adding, by the processor, the one of the second-search results to the first-search results when the information corresponding to the one of the second-search results does not match information corresponding to any of the first-search results;

modifying, by the processor, the one of the first-search results, for which the corresponding information matches the information corresponding to the one of the second-search results, within the first-search results by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions ~~within~~ towards a top of the first-search results when the information corresponding to the one of the second-search results matches the information corresponding to the one of the first-search results; and

outputting, by the processor, the first-search results with the added second-search result or the modified first-search result.

11. Cancelled

20. A device, comprising:

a processor; and

a memory,

at least one of the processor or the memory implementing:

means for obtaining search results, as first-search results, based, at least in part, on a search performed on a document corpus using a search query from a user;

means for generating search results, as second-search results, based, at least in part, on a search performed, using the search query, on information regarding documents previously accessed by the user;

means for determining whether information corresponding to any of the second-search results match information corresponding to the first-search results;

means for adding one or more of the second-search results to the first-search results when the information corresponding to the one or more of the second-search results do not match any of the information corresponding to the first-search results;

means for modifying one of the first-search results by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions ~~within~~ towards a top of the first-search results when information corresponding to one of the second-search results matches information corresponding to the one of the first-search results; and

means for outputting the first-search results with the added one or more second-search results or the modified one of the first-search results

22. A memory device that stores instructions executable by at least one processor to perform a method for providing search results, the memory device comprising:

instructions for obtaining a search query;

instructions for obtaining search results, as first-search results, based, at least in part, on an Internet search performed using the search query;

instructions for performing a search of a history database using the search query to obtain search results, as second-search results, the history database storing information regarding documents previously accessed by a user;

instructions for comparing information corresponding to the second-search results to information corresponding to the first-search results to determine whether information corresponding to one of the second-search results matches information corresponding to one of the first-search results;

instructions for adding the one of the second-search results to the first-search results when the information corresponding to the one of the second-search results does not match information corresponding to any of the first-search results;

instructions for modifying one of the first-search results, for which corresponding information matches the information corresponding to the one of the second-search results, by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions ~~within~~ towards a top of the first- search results when the information corresponding to the one of the second-search results matches information corresponding to the one of the first-search results; and

instructions for presenting the first-search results with the added one of the second-search results or the first-search results with the modified one of the first-search results.

69. Cancelled

71. – 73. Cancelled

REASONS FOR ALLOWANCE

4. Claims 1 – 6, 8 – 9, 13 – 14, 17 – 22, 60 – 64, 67 – 68, 70, and 74 – 75 are allowable in light of the applicant's arguments and in light of the prior art made of record.

Reason for Indicating Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance: Upon searching a variety of databases, the examiner respectfully submits that "modifying, by the processor, the one of the first-search results, for which the corresponding information matches the information corresponding to the one of the second- search results, within the first-search results by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions towards a top of the first-search results when the information corresponding to the one of the second-search results matches the information corresponding to the one of the first-search results" recited in claim 1; "means for modifying one of the first-search results by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions towards a top of the first-search results when information corresponding to one of the second-search results matches

information corresponding to the one of the first-search results” recited in claim 20; “modify one of the first-search results, for which information that corresponds to the one of the first-search results matches information corresponding to the one of the second-search results, by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions toward a top of the first-search results when the one of the second- search results is included within the first-search results” recited in claim 21; and “instructions for modifying one of the first-search results, for which corresponding information matches the information corresponding to the one of the second-search results, by identifying a particular number of positions for moving the one of the first-search results and moving the one of the first-search results the particular number of positions towards a top of the first- search results when the information corresponding to the one of the second-search results matches information corresponding to the one of the first-search results” recited in claim 22 in conjunction with all other limitations of the dependent and independent claims are not taught nor suggested by the prior art of record. Therefore, all pending claims 1 – 6, 8 – 9, 13 – 14, 17 – 22, 60 – 64, 67 – 68, 70, and 74 – 75 are hereby allowed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issues fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIOVANNA COLAN whose telephone number is (571)272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan
Examiner
Art Unit 2162
January 1, 2010

/John Breene/
Supervisory Patent Examiner, Art Unit 2162